

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MODULAR BACKREST SYSTEM FOR A WHEELCHAIR, the specification of which is filed herewith and is a continuation-in-part of United States patent application 08/946,208, filed October 7, 1997, the disclosure of which is incorporated herein by reference.

I hereby state that I have reviewed and understand the contents of the above-identified specifications, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

## Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> yes	<input type="checkbox"/> no
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> yes	<input type="checkbox"/> no

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

_____ Application Number	_____ Filing Date
_____ Application Number	_____ Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to

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disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

08/946,208  
(Application Number)

October 7, 1997  
(Filing Date)

Pending  
(Status - patented, pending,  
abandoned)

(Application Number)

(Filing Date)

(Status - patented, pending,  
abandoned)

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Philip B. Polster, Reg. No. 16,554, Frederick M. Woodruff, Reg. No. 15,301, J. Philip Polster, Reg. No. 24,739, Lionel L. Lucchesi, Reg. No. 25,891, William G. Bruns, Reg. No. 19,541, Edward A. Boeschstein, Reg. No. 22,986, William B. Cunningham, Jr., Reg. No. 26,155, Gregory E. Upchurch, Reg. No. 28,482, Ralph B. Brick, Reg. No. 17,444, Michael Kovac, Reg. No. 22,140, McPherson D. Moore, Reg. No. 28,449, J. Joseph Muller, Reg. No. 28,450, Richard J. Sher, Reg. No. 27,282, Jonathan P. Soifer, Reg. No. 34,932, Ned W. Randle, Reg. No. 35,989, and Martha A. Michaels, Reg. No. 20,453, Catherine W. Wall, Reg. No. P-42,209, and Mark E. Books, Reg. No. 40,918.

Direct all telephone calls to William G. Bruns at Telephone No. (314) 872-8118.

Address all correspondence to Customer Number 001688.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of First Inventor:

Christopher A. Bar

Inventor's Signature:

*CA Bar*

Residence:

City of Belleville, Illinois

Citizenship:

Great Britain

Post Office Address:

10 Forest Glen Drive  
Belleville, Illinois 62223

Date:

*7/16/98*

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Full name of Second Inventor: Dennis L. Clapper

Inventor's Signature:

Residence:

Citizenship:

Post Office Address:

 Date: 7/17/98  
City of Swansea, Illinois  
United States of America  
115 Papillon  
Swansea, Illinois 62226

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Applicant: Christopher A. Bar et al.

Attorney's Docket No.: ROHO 6615US

Serial No:

Filed: October 7, 1997

For: MODULAR BACKREST SYSTEM FOR A WHEELCHAIR

**VERIFIED STATEMENT (DECLARATION)  
CLAIMING SMALL ENTITY STATUS  
STATUS (37 CFR §1.9(f) AND §1.27(c))  
SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below;  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Roho, Inc.

ADDRESS OF CONCERN: 100 Florida Avenue  
Belleville, Illinois 62221

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled MODULAR BACKREST SYSTEM FOR A WHEELCHAIR, by inventor(s) Christopher A. Bar and Dennis L. Clapper, described in

- ☒ the Specification filed herewith.  
☐ Application Serial No. , filed .  
☐ Patent No. , issued .

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not

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qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by and concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a non-profit organization under 37 CFR § 1.9(e).

*Note:* Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR § 1.27).

FULL NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b))

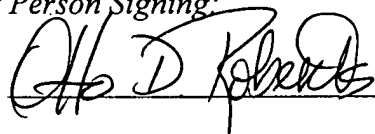
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

*Name of Person Signing:* Otto D. Roberts

*Title of Person:* President

*Address of Person Signing:*

*Signature:*



*Date:* October 3, 1997

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